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Attorneys for Friant Defendants

[Counsel of record listed on Appendix A]

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE
COUNCIL, INC., et al.,

Plaintiffs,

v.

KIRK RODGERS, a Regional Director of
the UNITED STATES BUREAU OF
RECLAMATION, et al.,

Defendants.

ORANGE COVE IRRIGATION
DISTRICT, et al.,

Defendants-Intervenors.

Case No. S-88-1658-LKK/GGH

**STIPULATION REGARDING SUBPOENA
FOR DOCUMENTS IN A CIVIL CASE
SERVED UPON NON-PARTY THE
CALIFORNIA DEPARTMENT OF FISH
& GAME; ORDER**

Judge: Hon. Gregory G. Hollows

The California Department of Fish and Game ("Department") and Defendant Friant Water Users Authority ("Friant") hereby stipulate as follows:

1. Friant has served a subpoena duces tecum on the Department in the case of *Natural Resources Defense Council v. Rodgers*, CIV-S-88- 1658 LKK/GGH. The Department is not a party to the litigation.

2. The Department has expressed concern that the volume of documents potentially responsive to the subpoenas is extensive. The Department has therefore asked, and Friant has agreed, to attempt to narrow the scope of the document requests. Friant and the Department have agreed that their counsel will meet to accomplish this task.

3. Friant and the Department have agreed that the time for the Department to respond to the subpoena shall be extended and the Department does not have to respond to the subpoena by the dates indicated on the documents. Friant and the Department have agreed that a new response date will be set after counsel meet and confer. Friant will make a reasonable attempt to accommodate the Department's request for more time, within the constraints imposed by the December discovery cutoff dates.

4. The parties agree that the Department's time for objecting to the subpoena, pursuant to Federal Rule of Civil Procedure 45(c)(2)(B), filing a motion for protective order pursuant to Federal Rule of Civil Procedure 26(b), or filing a motion to quash or modify the subpoena pursuant to Federal Rule of Civil Procedure 45(c)(3)(A) is likewise extended.

Dated: October 26, 2005

BEST BEST & KRIEGER

By: /s/ Jennifer T. Buckman
Jennifer T. Buckman
Attorneys for Friant Defendants

Dated: October 26, 2005

BILL LOCKYER, Attorney General
of the State of California

By: /s/ Gary Tavetian
Gary Tavetian, Deputy Attorney General
Attorneys for California Department of
Fish and Game

IT IS SO ORDERED.

Dated: 11/01/05

/s/ Gregory G. Hollows

Honorable Gregory G. Hollows
United States Magistrate Judge

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